

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Northern District of Alabama

United States of America)

v.)

Tajjah Ladarrius Irby)

Case No.)

24-444)

Defendant(s)

FILED

JUL 27 2024

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 18, 2024 in the county of Jefferson in the
Northern District of Alabama, the defendant(s) violated:

Code Section

Offense Description

Title 18 U.S.C. 922(g)(1)

Possession of a Firearm by a Convicted Felon

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.CAMERON SPIVEY Digitally signed by CAMERON
SPIVEY
Date: 2024.07.27 10:38:33 -05'00'

Complainant's signature

Cameron Spivey, ATF Special Agent

Printed name and title

telephonically electronically
Sworn to before me and signed in my presence.Date: 07/27/2024City and state: Birmingham, Alabama

Judge's signature

Gray M. Borden, United States Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Mag. No. 24-444
)	
TALIJAH LADARRIUS IRBY,)	
)	
Defendant.)	

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

Comes now your Affiant, Special Agent Cameron Spivey, with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), being first duly sworn, hereby depose and state as follows:

1. I have been a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since January 2018. Prior to working as a Special Agent, I served as a United States Probation Officer for the Southern District of Alabama and was a Police Officer with Birmingham Police Department. In total, I have over eleven years of law enforcement experience. I have experience in crime scene investigations in the areas of violent crimes to include robberies, crimes against person, homicides, firearms crimes, etc. I have received specialized training in investigative techniques, surveillance techniques, and [REDACTED] major case investigations, firearms trafficking, drug trafficking, arson investigations, explosives investigations, and tobacco investigations. I have conducted and/or participated in the execution of federal/state search warrants, arrest warrants, and I have prepared written affidavits. During my law enforcement career, I have debriefed defendants and witnesses. I have conducted

interviews of suspects and prepared detailed investigative reports. I have conducted surveillance, both physical and technical, using highly specialized electronic equipment.

2. I am a graduate of the Alabama Peace Officer's Standards and Training Commission (APOST), the Federal Law Enforcement Training Center (FLETC) U.S. Courts – Probation and Pretrial Services Training Academy, the Department of Homeland Security Criminal Investigator Training Program (CITP), the ATF National Academy Special Agent Basic Training (SABT), and the FLETC Firearms Instructor Training Program (FITP). As an ATF Special Agent, one of my principal assignments is to investigate violations of federal firearms laws.

3. Your Affiant's current duties and responsibilities as an ATF Special Agent include investigating violations of federal criminal laws. Based on my training and experience, your Affiant is familiar with violations of Titles 18, 21, and 26 of the United States Code (U.S.C.). Specifically, your Affiant is well versed in Title 18, United States Code, Section 922 offenses regarding criminal violations as they relate to firearms.

4. This Affidavit is made in support of a criminal complaint against **Talijah Ladarrius IRBY** (B/M, DOB: [REDACTED] 1999), and is based on official records, reports, and information provided to me by other law enforcement officers. This Affidavit is merely intended to show that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge of this investigation.

PROBABLE CAUSE

5. On or about July 17, 2024, Birmingham Police Department's (BPD) Crime Reduction Team (CRT) members were notified by BPD [REDACTED] that Talijah Ladarrius IRBY (B/M, DOB: [REDACTED] 1999), [REDACTED] [REDACTED] at [REDACTED] Birmingham, AL 35215. [REDACTED] [REDACTED] BPD [REDACTED] further notified BPD CRT members that one of the suspect vehicles [REDACTED] [REDACTED] was a black 2024 Mercedes C300 bearing Georgia tag [REDACTED]. Law enforcement officers were aware that this suspect vehicle was a Hertz Rental Car vehicle and the current renter, A [REDACTED] B [REDACTED] had rented the vehicle on July 8, 2024. The address provided for the rental agreement with Hertz Rental Car was [REDACTED], Birmingham, AL. Law enforcement officers had linked IRBY to this suspect vehicle because A [REDACTED] B [REDACTED] is IRBY's girlfriend.

6. Based on the abovementioned facts, on July 17, 2024, BPD CRT members decided to conduct surveillance at [REDACTED] Birmingham, AL to locate the suspect vehicle and possibly IRBY. After establishing surveillance [REDACTED] Birmingham, AL, BPD CRT members observed the suspect vehicle at [REDACTED] [REDACTED] Birmingham, AL, and parked in the garage of apartment [REDACTED]

7. On July 18, 2024, BPD CRT members followed the suspect vehicle leaving from the [REDACTED] Birmingham, AL address, to a car wash located at 3295 Morrow Road, Birmingham, AL. Upon arriving at the car wash, the occupant, later

identified as IRBY, parked and exited the suspect vehicle. BPD CRT members observed IRBY begin to clean out the vehicle with a vacuum. At that time, BPD CRT members converged on the suspect vehicle and IRBY. BPD CRT members arrested. During the arrest of IRBY, BPD CRT Officer Elmore observed in plain-view on the passenger side of the vehicle between the seat and the center console what was believed to be an AR-variant firearm. [REDACTED] officers transported IRBY to BPD Headquarters for a post-Miranda interview. The suspect vehicle, a black 2024 Mercedes C300, was then towed from the car wash to impound/lockup, so a state vehicle search warrant could be acquired and ultimately executed.

8. On July 19, 2024, at approximately 2:49PM, BPD Homicide Detective Tolliver swore to and acquired a state vehicle search warrant, which was signed and authorized by Jefferson County Circuit Court Judge Michael Streety.

9. On or about July 26, 2024, BPD Detectives and Evidence Technicians executed the state vehicle search warrant on the black 2024 Mercedes C300 bearing Georgia tag [REDACTED]. During the execution of the state vehicle search warrant, BPD Detectives and Evidence Technicians recovered a Kel-Tec, PLR-16, 5.56 caliber firearm, serial number: P9A03, along with a digital scale, and two baggies of what is believed to be cocaine. It should be noted that the packaging of these narcotics, along with the recovery of a digital scale, is indicative of drug trafficking.

10. On July 26, 2024, Special Agents with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) learned of the state vehicle search warrant that was being executed on the suspect vehicle. ATF Special Agents reached out to the BPD Officers/Detectives

regarding this investigation to glean more information on IRBY and his firearm possession. Based on the information provided by BPD Officers/Detectives, and the circumstances surrounding IRBY's arrest, ATF Special Agents decided to pursue a federal case on IRBY.

11. As part of the federal case initiation, IRBY's identifiers were checked through law enforcement databases by ATF TFO Rashaun Robinson, which confirmed that IRBY is a previously convicted felon having been convicted (entered a guilty plea) of Attempting to Elude/Death Injury (0100CC202400091600).

12. Continuing on July 26, 2024, ATF Special Agent Gabriel Brooks and Task Force Officer (TFO) Rashaun Robinson arrived at the vehicle impound/lockup and examined the recovered Kel-Tec, PLR-16, 5.56 caliber firearm, serial number: P9A03, which was taken into BPD custody from the suspect vehicle. In doing so, a preliminary interstate nexus was performed by ATF SA Brooks, which determined that the Kel-Tec, PLR-16, 5.56 caliber firearm, serial number: P9A03, was not manufactured in the state of Alabama thus having traveled in and/or affected interstate and foreign commerce. Because this firearm was recovered in the state of Alabama, the commerce clause has been satisfied.

AUTHORIZATION REQUEST

13. Based on the foregoing, your Affiant opines that there is probable cause to suggest that on or about July 18, 2024, in the Northern District of Alabama, Talijah Ladarrius IRBY, a previously convicted felon, was knowingly in possession of a firearm to wit: a Kel-Tec, PLR-16, 5.56 caliber firearm, serial number: P9A03. Accordingly, IRBY

violated Title 18 U.S.C. Section 922(g)(1) (Prohibited Person in Possession of a Firearm – Felon).

Further Affiant Sayeth Not.

Sworn to telephonically and subscribed
electronically on the 27th of July 2024:

Cameron Spivey

Cameron Spivey

Special Agent, ATF

COJm

Honorable United States Magistrate Judge